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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

OLD REPUBLIC INSURANCE COMPANY, a corporation, Plaintiff, vs. UNITED STATES OF AMERICA, Defendant.	Case No. 08-CV-223 DECLARATION OF STEPHEN M. KETYER

I, STEPHEN M. KETYER, submit the following declaration in support of the United States' ex parte motion for relief from an upcoming settlement conference, and state:

1. I am a Trial Attorney employed by the United States Department of Justice, Civil Division, Torts Branch, with offices in Washington, D.C. I am counsel of record for the defendant, United States of America, in the above-captioned civil action.

2. This case has been settled pending payment by the Treasury Department. The settlement was formally approved by Peter F. Frost, Director, Torts Branch, Civil Division, on August 15, 2008. At approximately the same time, the parties executed and exchanged copies of a Stipulation of Compromise Settlement and Release.

3. On information and belief, all documents necessary to process payment by the Treasury Department were forwarded to it on August 19, 2008. Full payment is expected to be made within 60 days from that date.

4. Earlier this afternoon, I consulted with Garry L. Montanari, counsel for Plaintiff Old Republic Insurance Company, who understood and agreed to this ex parte application, and was apprised of the statements made herein.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 25, 2008.

/s/ Stephen M. Ketyer
____
STEPHEN M. KETYER
Trial Attorney